

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA, ) CASE NO. MJ 08-215  
Plaintiff, )  
v. )  
TOVA AMY WEISS, ) DETENTION ORDER  
Defendant. )  
\_\_\_\_\_) )

Offense charged: Possession with Intent to Distribute Methamphetamine

Date of Detention Hearing: May 12, 2008

The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and based upon the factual findings and statement of reasons for detention hereafter set forth, finds that no condition or combination of conditions which defendant can meet will reasonably assure the appearance of defendant as required and the safety of other persons and the community.

## FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

1. Defendant has been charged in the District of Alaska (Case No. 3:08-MJ-00096-DMS) with a drug offense the maximum penalty of which is in excess of ten years. There is

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01 therefore a rebuttable presumption against defendant as to both dangerousness and flight risk,  
02 under 18 U.S.C. §3142(e).

03 2. Defendant has reported mental health problems, but is not currently receiving  
04 treatment. Substance abuse problems are indicated. Much of her background information was  
05 unverified, including financial information. She has been unemployed for much of her adult life.  
06 She has no ties to the charging District.

07 3. Defendant wishes to explore the possibility of having the District of Alaska case  
08 transferred to this District. If so, this Court would consider release to an inpatient substance abuse  
09 treatment program.

10 4. Taken as a whole, the record does not effectively rebut the presumption that no  
11 condition or combination of conditions will reasonably assure the appearance of the defendant as  
12 required and the safety of the community.

13 It is therefore ORDERED:

14 (1) Defendant shall be detained pending trial and committed to the custody of the  
15 Attorney General for confinement in a correction facility separate, to the extent  
16 practicable, from persons awaiting or serving sentences or being held in custody  
17 pending appeal;

18 (2) Defendant shall be afforded reasonable opportunity for private consultation with  
19 counsel;

20 (3) On order of a court of the United States or on request of an attorney for the  
21 Government, the person in charge of the corrections facility in which defendant is  
22 confined shall deliver the defendant to a United States Marshal for the purpose of

01 an appearance in connection with a court proceeding; and

02 (4) The clerk shall direct copies of this Order to counsel for the United States, to  
03 counsel for the defendant, to the United States Marshal, and to the United States  
04 Pretrial Services Officer.

05 DATED this 12th day of May, 2008.

06   
07 Mary Alice Theiler  
08 United States Magistrate Judge